

Message Text

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47

ACTION DLOS-07

INFO OCT-01 EUR-25 NEA-10 ISO-00 CG-00 CIAE-00 DODE-00

PM-07 H-03 INR-10 L-03 NSAE-00 NSC-07 PA-04 RSC-01

PRS-01 SP-03 SS-20 USIA-15 CEQ-02 COA-02 COME-00

EB-11 EPA-04 IO-14 NSF-04 SCI-06 FEA-02 ACDA-19 AEC-11

AGR-20 DOTE-00 FMC-04 INT-08 JUSE-00 OMB-01 TRSE-00

OIC-04 DRC-01 /230 W

----- 126852

R 011303Z MAY 74

FM AMEMBASSY TEHRAN

TO SECSTATE WASHDC 6326

INFO AMEMBASSY JIDDA

AMEMBASSY LONDON

C O N F I D E N T I A L TEHRAN 3461

E.O. 11652: GDS

TAGS: PBOR, IR

SUBJ: FISHING IN PERSIAN GULF

REF: TEHRAN 0795

1. DURING MEETING WITH MFA LEGAL ADVISOR KAZEMI APRIL 30 ON LAW OF SEA MATTERS (TEHRAN 3396) SUBJECT OF FISHING RIGHTS IN PERSIAN GULF CAME UP. POLCOUN ASKED KAZEMI WHETHER TRADITIONAL FISHING NATIONS HAD CONTESTED GOI OCTOBER 30, 1973 UNILATERAL PROCLAMATION DENYING FISHING RIGHTS IN GULF TO NON-LITTORAL NATIONALS. KAZEMI REPLIED IN NEGATIVE.

2. COMMENT: IN FACT, BRITISH HAVE PROTESTED. EMBASSY RECEIVED FROM UK EMBOFF COPY OF FCO NOTE MRS 4/324/1 DATED 7 JANUARY 1974 STATING THAT QTE THERE IS NO GOOD FOUNDATION IN INTERNATIONAL LAW FOR CLAIM BY COASTAL STATE TO EXERCISE EXCULSIVE FISHING JURISDICTION OVER AN AREA OF THE HIGH SEAS EXTENDING TO SUCH A
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DISTANCE FROM ITS COAST AS IS PROVIDED FOR IN IMPERIAL PRO-

CLAMATION OF 30 OCTOBER 1973. ACCORDINGLY, HMG ARE UNABLE TO ACCEPT VALIDITY OR EFFECTIVENESS IN INTERNATIONAL LAW OF APPROPRIATE EXTENSIONS...IN ADDITION TO THESE LEGAL CONSIDERATIONS, HMG VIEW AS UNDESIRABLE ANY ACTION IN THESE MATTERS BEING TAKEN BY INDIVIDUAL STATES UNILATERALLY INSTEAD OF BY AGREEMENT AMONG ALL STATES CONCERNED. UNQTE TO OUR KNOWLEDGE, UK IS ONLY COUNTRY TO PROTEST THUS FAR. END COMMENT

3. DISCUSSING BACKGROUND LEADING TO PROCLAMATION, KAZEMI SAID GOI HAD TRIED SINCE 1967 TO GET OTHER GULF STATES TO AGREE ON COMMON POSITION RE FISHING RIGHTS. ALL ACCEPT DOCTRINE THAT TERRITORIAL FISHING WATERS EXTENDED TO LIMIT OF CONTINENTAL SHELF, HE SAID. SINCE NO POINT IN GULF IS BEYOND CONTINENTAL SHELF, MAIN PROBLEM BECAME DEMARCATION OF SHELF AMONG GULF STATES. GOI REACHED AGREEMENT ON DEMARCATION WITH SAUDI ARABIA, BAHRAIN AND QATAR AND IN PRINCIPLE WITH OMAN. WITH COUNTRIES WHERE AGREEMENT NOT YET REACHED, GOI FOLLOWS MEDIAN LINE. WHEN IT PROVED IMPOSSIBLE TO GET MULTIATERAL STATEMENT OF POLICY ON THIS MATTER, GOI ACTED ALONE IN 1973. JUSTIFYING GOI'S ACTION, KAZEMI CITED QTE GENERAL CONSENSUS UNQTE THAT COASTAL COUNTRY'S RIGHT TO MARINE RESOURCES EXTENDS TO EDGE OF CONINENTAL SHELF. GULF NATIONS MAY BE RICH IN OIL BUT THEY ARE POOR IN FOOD RESOURCES. WHY SHOULD OUTSIDERS BE ALLOWED TO STRIP THOSE WATERS OF SEAFOOD THROUGH LARGE SCALE FISHING OPERATIONS? KAZEMI HOPES SUBJECT OF GULF FISHING WILL NOT BE RAISED AT LOS CONFERENCE AND SAYS HE SEES NO REASON WHY IT SHOULD.

4. COMMENT: ON APRIL 30 SAUDI ARABIAN GOVT ISSUED STATEMENT ON FISHING (FBIS LONDON 301345Z APR 74) WHICH IS SIMILAR TO GOU OCT 30 PROCLAMATION AND TENDS TO CONFIRM THAT KAZEMI TOLD US ABOUT POSITION OF OTHER GULF STATES. OTHER LITTORAL STATES MAY FOLLOW SUIT BEFORE JUNE TO TRY TO PREEMPT CONSIDERATION OF MATTER BY LOS CONFERENCE. END COMMENT
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Message Attributes

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Decaption Note:
Disposition Action: RELEASED
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